

## CHAPTER 185

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**NATURAL RESOURCES**


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**HOUSE BILL 23-1060**

BY REPRESENTATIVE(S) Story, Lynch, Amabile, Bird, Boesenecker, Brown, deGruy Kennedy, Dickson, English, Froelich, Hamrick, Herod, Jodeh, Lieder, Lindsay, Lindstedt, Lukens, Marshall, Martinez, McCormick, McLachlan, Michaelson Jenet, Sirota, Snyder, Soper, Velasco, Weinberg, Young, McCluskie;  
also SENATOR(S) Cutter, Danielson, Jaquez Lewis, Priola.

**AN ACT**

**CONCERNING UPDATES TO THE COLORADO STATE FOREST SERVICE SEEDLING TREE NURSERY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, 23-31-319, **amend** (6) and (8); and **add** (2.5), (3.5), and (4.5) as follows:

**23-31-319. Forest service seedling tree nursery - necessary upgrades and improvements - definition - funding - reports - repeal.** ~~(2.5) Field upgrades.~~ TO UPGRADE THE FIELDS WHERE THE NURSERY GROWS BARE-ROOT TREES AND SHRUBS, THE NURSERY SHALL:

- (a) INSTALL A NEW PUMP AND PUMP HOUSE;
- (b) OVERHAUL THE IRRIGATION SYSTEM; AND
- (c) GRADE AND IMPROVE THE ROADS TO AND WITHIN THE FIELDS.

**(3.5) Seed storage cooler.** TO IMPROVE THE CAPACITY, SECURITY, AND ENERGY EFFICIENCY OF SEED STORAGE, THE NURSERY SHALL PURCHASE A NEW SEED STORAGE COOLER.

**(4.5) Delivery trucks.** TO IMPROVE THE TIMELINESS OF DELIVERIES AND ELIMINATE THE COST OF RENTING DELIVERY TRUCKS, THE NURSERY SHALL PURCHASE TWO REFRIGERATED BOX TRUCKS.

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

(6) **Appropriation.** For the 2022-23 AND 2023-24 state fiscal year YEARS, the general assembly shall appropriate money to the Colorado state university system for allocation to and expenditure by the Colorado state forest service to fund improvements to the nursery, to hire professional staff, and to conduct the capacity, expertise, and infrastructure analysis as specified in subsection (5) of this section FOR THE PURPOSES SPECIFIED IN THIS SECTION. ANY MONEY APPROPRIATED BY THE GENERAL ASSEMBLY PURSUANT TO THIS SUBSECTION (6) THAT IS NOT EXPENDED BEFORE THE END OF THE FISCAL YEAR FOR WHICH IT IS APPROPRIATED REMAINS AVAILABLE FOR EXPENDITURE FOR THE SAME PURPOSES UNTIL THE CLOSE OF THE 2024-25 STATE FISCAL YEAR.

(8) **Repeal.** This section is repealed, effective January 1, 2025 2026.

**SECTION 2.** In Colorado Revised Statutes, 23-3.3-103, add (18) as follows:

**23-3.3-103. Annual appropriations - repeal.** (18) (a) THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION CONCERNING APPROPRIATIONS FOR STUDENT FINANCIAL ASSISTANCE UNDER THIS ARTICLE 3.3 DO NOT APPLY TO APPROPRIATIONS MADE PURSUANT TO SECTION 23-31-319 TO FUND IMPROVEMENTS TO THE COLORADO STATE FOREST SERVICE SEEDLING TREE NURSERY.

(b) THIS SUBSECTION (18) IS REPEALED, EFFECTIVE JULY 1, 2026.

**SECTION 3.** In Session Laws of Colorado 2022, amend section 3 of chapter 434 (HB22-1323) as follows:

Section 3. **Appropriation.** For the 2022-23 state fiscal year, \$5,000,000 is appropriated to the department of higher education for use by the board of governors of the Colorado state university system. This appropriation is from the general fund. To implement this act, the board of governors may use this appropriation for the Colorado state forest service tree nursery. Any money appropriated in this section not expended prior to July 1, 2023, is further appropriated to the board of governors for the 2023-24 AND 2024-25 state fiscal year YEARS for the same purpose.

**SECTION 4. Appropriation.** For the 2023-24 state fiscal year, \$5,382,500 is appropriated to the department of higher education for use by the board of governors of the Colorado state university system. This appropriation is from the general fund. To implement this act, the board of governors may use this appropriation for the Colorado state forest service tree nursery.

**SECTION 5. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 15, 2023